

**FILED**United States District Court  
Albuquerque, New MexicoMitchell R. Elfers  
Clerk of Court**UNITED STATES DISTRICT COURT**

for the

District of New Mexico

United States of America  
v.TR Kisor  
(year of birth: 1970)*Defendant(s)***23mj1563**

Case No.

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 4, 2022 and July 6, 2022 in the county of Bernalillo in the  
       District of New Mexico, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. § 641

Theft of Government Property

18 U.S.C. § 922(g)

Felon in Possession

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.  
*Complainant's signature*

Molly Schommer, Special Agent - FBI

*Printed name and title*

Telephonically sworn and electronically signed.

Date: 10/25/2023  
*Judge's signature*City and state: Albuquerque, New Mexico

Honorable Kirtan Khalsa, U.S. Magistrate Judge

*Printed name and title*

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

I, Molly Schommer, being duly sworn, depose and say:

**INTRODUCTION AND CRIMINAL CHARGES**

1. I am a Special Agent (“SA”) with the Federal Bureau of Investigation (“FBI”) and have been so employed since April of 2021. As such, I am a federal law enforcement officer within the meaning of Rule 41 of the Federal Rules of Criminal Procedure. I am currently assigned to the Violent Crime Task Force (“VCTF”) at the FBI Albuquerque Field Office. I primarily investigate Indian Country cases, such as homicide and sexual assault. I have also assisted with the investigation of gang-criminal enterprises and Drug Trafficking Organizations (“DTOs”) involved in the unlawful possession of firearms, distribution of controlled substances, racketeering activities, and conspiracies associated with these offenses. I have received on the job training from other experienced agents, detectives, and correctional officers in the investigation of criminal actors and criminal enterprises. My investigative training and experience includes, but is not limited to, the FBI Training Academy at Quantico, Virginia; interviewing subjects, targets, and witnesses; writing affidavits for and executing search and arrest warrants; collecting evidence; conducting surveillance; and analyzing public records. Before becoming an FBI agent, I was a criminal prosecutor for two years. Through my training and experience both as an FBI Special Agent and city and county prosecutor, I am familiar with techniques used by criminal actors, DTOs, gangs, and criminal enterprises.

2. This affidavit is based on information obtained from my personal observations, my training and experience, information obtained from other law enforcement officers and witnesses, and records I have reviewed. This affidavit does not set forth all of my knowledge nor summarize

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all of the investigative efforts in this investigation. This affidavit is in support of a criminal complaint and an application for a warrant to arrest **TR KISOR**, Year of Birth (“YOB”) 1970, who I believe committed violations of 18 U.S.C. §§ 641 and 922(g) that being Theft of Government Property and Felon in Possession of a Firearm.

**STATEMENT OF PROBABLE CAUSE**

**A. Theft of Government Property**

3. On or about July 4, 2022, FBI SA John Doe<sup>1</sup> notified the Albuquerque Police Department (“APD”) that SA Doe’s residence in Albuquerque, New Mexico, was broken into on either July 3 or July 4, 2022. Multiple items were stolen including both personal and federal property, including:

- a. Two cell phones, including a Motorola and Google Pixel;
- b. Ammunition;
- c. Magazines;
- d. Camping equipment;
- e. Body armor;
- f. Tactical chest rig;
- g. FBI coins and military badging; and
- h. Multiple firearms, including a .22 caliber Mossberg and Sons rifle Model 352K.

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<sup>1</sup> SA Doe’s full name is not included here in order to protect his identity as the victim in this matter.

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Although not specifically itemized, additional items of federal property were taken as well and later recovered as described below.

4. On July 4, 2022, an APD Officer responded to SA Doe's residence. Located inside were a Dewalt Sawzall and a Dewalt power drill that were taken from elsewhere in the residence and appeared to have been used to force entry into a large metal gun safe. On July 5, 2022, an APD Officer collected a glass cup and eating utensils that were found at the residence and believed to be used by the subject during the burglary, which were then submitted for Deoxyribonucleic Acid ("DNA") testing.

5. On July 6, 2022, APD Officers responded to assist with a residential burglary at 809 Madeira Drive Northeast, Albuquerque, New Mexico. The residence was for sale and supposed to be empty. Upon APD Officers' arrival, KISOR was located inside and placed under arrest. During the search incident to arrest, the following was found on KISOR'S person:

- a. Two cell phones, including a Motorola phone with an OCE<sup>2</sup> label on the back (the same phone taken from SA Doe's residence);
- b. Three black magazines with orange ammunition spring tips;
- c. Approximately 33 9-mm live ammunition (silver cased, hollow point, consistent with ammunition utilized by the FBI); and
- d. Methamphetamine (tested presumptive positive.)

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<sup>2</sup> "OCE" is a term used by the FBI which means "Online Covert Employee". This cell phone was confirmed to be federal property belonging to the FBI.

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6. Inside of the residence garage, APD Officers located a white 1997 Toyota four-door bearing VIN: JT2BG22K1V0071254, hereinafter "Subject Vehicle", and observed multiple black backpacks, ammunition, firearm magazines, and what appeared as burglary tools inside. The Subject Vehicle was sealed, towed, and search warrants were obtained.

7. On July 7, 2022, and July 11, 2022, upon execution of the search warrants, both stolen personal property and stolen federal property were located in the Subject Vehicle. FBI Agents identified the following located items as matching stolen federal property:

- a. Two hollow point 9-mm live ammunition, one 9-mm ball ammunition, frangible 9-mm live ammunition, and one .22 caliber ammunition;
- b. Two zip-tie flex cuffs;
- c. Pixel 6 cellular phone case with SA Doe's undercover identification and credit card;
- d. First Aid labeled "FBI" and breather tube;
- e. Blue bag labeled "FBI";
- f. Three Jute "Ghillie suit" components/fabric;
- g. Mount for law enforcement emergency lighting;
- h. Black notebook;
- i. Instructions for a gas mask;
- j. "Jabra" headphones;
- k. Gun light;
- l. Tactical chest rig;
- m. Molle outer vest carrier;



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- n. Glock 19 magazine; and
  - o. Two FBI patches.
8. Other notable items located in the Subject Vehicle include:
- a. A .22 caliber Mossberg and Sons rifle Model 352K belonging to SA Doe in his personal capacity;
  - b. Tin container with FBI coins and military badging, also belonging to SA Doe in his personal capacity; and
  - c. A tinted small zip lock baggie with a crystal-like substance inside which tested presumptive positive for Methamphetamine.
9. An APD Officer reviewed camera footage from SA Doe's neighbor from the time of the burglary. The available camera footage showed that at or around 0554 hours on July 4, 2022, a white Toyota Camry, recognized as the Subject Vehicle, passed in view of the camera. An APD Officer observed the passenger side window was rolled down approximately 10 inches, similar to what the APD Officer observed during the search. Additionally, the vehicle had black steel wheels, and a dent on the back passenger-side bumper, which were all consistent with the Subject Vehicle.
10. On July 13, 2022, APD Officers executed a DNA and fingerprint search warrant on KISOR to compare to the items obtained from SA Doe's residence. The results of the DNA comparison, received by the FBI in August 2023, showed that a male profile was detected on the seized metal fork. KISOR could not be excluded as the contributor. The probability of selecting an unrelated individual at random was 1 in 120 octillion or higher. Additionally, male DNA was detected on a seized plastic spoon. Three contributors were detected with one major contributor

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and KISOR could not be excluded as the major contributor. The probability of selecting an unrelated individual at random was 1 in 1.2 sextillion or higher.

11. APD reports indicated there were no distinguishable latent prints matching KISOR.

**B. Felon in Possession of a Firearm and Ammunition**

12. As noted above, on July 6, 2022, KISOR was arrested with live ammunition on his person, and more ammunition and a firearm were located in the Subject Vehicle associated with KISOR. KISOR'S criminal history includes the following felony convictions:

- a. 04/03/2000 – Aggravated Assault with a Deadly Weapon and Conspiracy to Commit Armed Robbery; CR No. 99-2552.
- b. 01/23/2006 – Attempted Forgery; CR No. 05-05826.
- c. 03/18/2013 – Aggravated Battery with a Deadly Weapon, Possession of an Imitation Controlled Substance with Intent to Distribute, Possession of a Controlled Substance (Cocaine), Conspiracy to Commit Possession of a Controlled Substance (Cocaine), Unlawful Taking of a Vehicle or Motor Vehicle (two counts), and Receiving or Transferring a Stolen Vehicle or Motor Vehicle; CR Nos. 2011-3272; 2011-3701; 2012-2661; 2012-4813; 2012-5871.

13. KISOR received a sentence of 12 years' incarceration in Case Nos. 11-3272, 11-3701, 12-2661, 12-4813, 12-5871. Therefore, I have probable cause to believe KISOR knew he was a convicted felon – meaning he knew he was convicted of at least one felony punishable by imprisonment for a term exceeding one year – at the time he possessed the firearm.

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14. I confirmed the .22 caliber Mossberg and Sons rifle Model 352K serial number 22-SHV-L-LR, was manufactured in North Haven, Connecticut, USA. FBI agents examined the rifle and confirmed it functioned as designed and meets the federal definition of a “firearm”. Based on my training and experience, the ammunition was not manufactured in New Mexico, USA.

**CONCLUSION**

15. Based on the foregoing facts and circumstances, I respectfully submit there is probable cause to believe that on or about July 4, 2022, KISOR committed the offense of Theft of Government Property in violation of 18 U.S.C. § 641, and on or about July 6, 2022, KISOR committed the offense of Felon in Possession in violation of 18 U.S.C. § 922(g), within the District of New Mexico.

16. Assistant United State Attorney Sarah Mease approved criminal charging in this matter.

Respectfully submitted,

  
Molly Schommer  
Special Agent  
Federal Bureau of Investigations

ELECTRONICALLY SUBMITTED AND TELEPHONICALLY SWORN TO BEFORE ME  
ON OCTOBER 25, 2023:



HONORABLE KIRTAN KHALSA  
UNITED STATES MAGISTRATE JUDGE  
DISTRICT OF NEW MEXICO